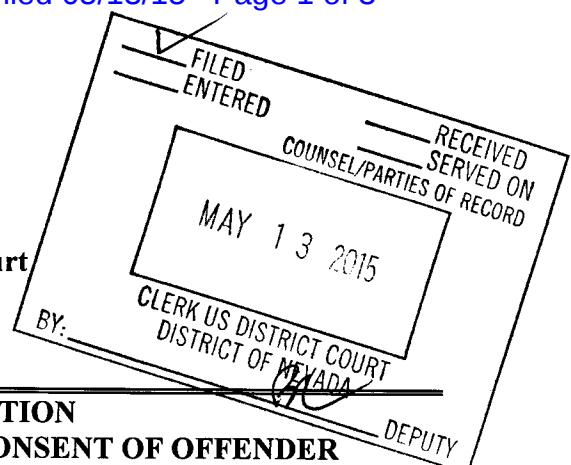


Prob12B
D/NV Form
Rev. June 2014

United States District Court
for
the District of Nevada



**REQUEST FOR MODIFICATION
TO CONDITIONS OF SUPERVISION WITH CONSENT OF OFFENDER**

Probation Form 49 (Waiver of Hearing) is Attached

March 25, 2015

Name of Offender: Luis Acosta

Case Number: 2:08CR00137

Name of Sentencing Judicial Officer: Honorable Philip M. Pro

Date of Original Sentence: March 8, 2010

Original Offense: Possession with Intent to Distribute and Distribution of Methamphetamine; Aiding and Abetting

Original Sentence: 60 months custody, 48 months supervision to follow

Date Supervision Commenced: January 13, 2012

PETITIONING THE COURT

To extend the term of supervision Months, for a total term of Months.

To modify the conditions of supervision as follows:

1. **Mental Health Treatment** - You shall participate in and successfully complete a mental health treatment program, which may include testing, evaluation, and/or outpatient counseling, as approved and directed by the probation office. You shall refrain from the use and possession of beer, wine, liquor, and other forms of intoxicants while participating in mental health treatment. Further, you shall be required to contribute to the costs of services for such treatment, as approved and directed by the probation office based upon your ability to pay.
2. **Home Confinement with Location Monitoring** - You shall be confined to home confinement with location monitoring, if available, for a period of 90 days. You shall pay 100% of the costs of location monitoring services.

RE: Luis Acosta

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CAUSE

On December 6, 2014, at approximately 0340 hours Las Vegas Metropolitan Police were dispatched to the offender's residence for a domestic disturbance. According to the police report the offender's girlfriend went out drinking with some girlfriends. When she returned home, Acosta punched her in the face with a closed fist and then continued to punch her in the arms and legs causing redness and a scratch. This officer did speak to the victim the following morning and she stated the offender did not hit her and it was just a misunderstanding. Acosta was not arrested for this incident until approximately a month and a half after the incident occurred. Acosta's girlfriend recanted her story and stated that she did not wish to press charges against the offender.

On March 27, 2015, Acosta plead no contest to this offense and was sentenced by the District Court Judge to six months of domestic violence classes, a \$345 fine, and forty-eight hours of community service. Mr. Acosta does not live with the victim in this case anymore. They do have minimal contact with one another as they share custody of a toddler.

The probation office is requesting that Acosta's conditions be modified to include mental health counseling (anger management) and ninety days of location monitoring. Acosta has been on supervision for three years with minimal violations. He has maintained steady employment and a steady residence while on supervision. While the probation office does take this situation seriously, we also believe conditions can be put into place to address this.

The Probation Form 49 was read and signed by Mr. Acosta. He does not oppose this modification and waived his right to the assistance of counsel and a hearing before Your Honor. The form is attached for the Court's review.

Respectfully submitted,

Rebecca L. Capstick
Rebecca Capstick 2015.04.13 09:39:35
-07'00'

Rebecca L. Capstick
United States Probation Officer

Approved:

R. G. Aquino

Robert G. Aquino
2015.04.13 13:18:03
-07'00'

Robert Aquino
Supervisory United States Probation Officer

RE: Luis Acosta

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THE COURT ORDERS

- No Action.
- The extension of supervision as noted above.
- The modification of conditions as noted above
- Other (please include Judicial Officer instructions below):



Signature of Judicial Officer

May 13, 2015

Date